



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/336,706	06/21/1999	SUMIYO OKADA	21.1924/JRB	7969

21171 7590 09/24/2002

STAAS & HALSEY LLP  
700 11TH STREET, NW  
SUITE 500  
WASHINGTON, DC 20001

EXAMINER

PRIETO, BEATRIZ

ART UNIT	PAPER NUMBER
----------	--------------

2152

DATE MAILED: 09/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

1R

**Office Action Summary**

Application No.

09/336,706

Applicant(s)

OKADA, SUMIYO ET. AL.

Examiner

B. PRIETO

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 July 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 4-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 13-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

***Detailed Action***

1. This communication amendment filed 7/16/02, claims 1-15, claims 4-12 have been withdrawn from consideration and claims 1-3 and 13-15 are hereby presented for examination.
2. Quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.
3. Claims 1-3 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redpath et. al. (Redpath) U.S. Patent No. 5,990,887.

Regarding claim 1, Redpath teaches substantial features of the invention as claimed, teaching a system/method related to an information exchange system (8) (abstract) for transmitting and receiving messages through at least one network (10) (col 1/lines 15-20, col 2/lines 20-26) as protocol-based network common communication session (common communication field) in order to transmit and receive messages between a plurality of users using individual computers (12) connected to the at least one network common communication session (i.e. common communication field);

designating at lease one network as at least one protocol-based network common communication session (common communication field) in order to transmit and receive messages between a plurality of users (col 3/lines 3-13);

obtaining one of the message to be transmitted to another user from at least one designated network common communication session or obtaining one of the messages to be received from at least one network (col 3/lines 3-13);

congregate, bring to together or gather, i.e. concentrating the obtained messages (Fig. 6A-C);

displaying the concentrated obtained message in a designated display area for each participant in a time series bases as obtained and exchanged in time from the sender and/or recipient (Figs. 6A-6B), wherein messages are

displayed independent of the messages displayed in another designated area corresponding to each participant as participated in time.

It would have been obvious to one ordinary skilled in the art at the time the invention was made to implement performing the same functions as claimed having means for displaying messages in a time series fashion independent of other messages received and/or transmitted from and/or to respectively, as taught by Redpath, motivation would be improve existing chat systems that provide a character-by-character feedback that will allow participants to see and corresponding designated display areas a representation of the messages other participant are in real-time editing with having completed the message to be sent.

Regarding claim 2, as discussed on claim 1 and further the user computer terminal a have a message display area (Fig. 3) for displaying messages received (Fig. 6A, (604, 606)) and transmitted (Fig. 6A, (602, 608, 616, 622));

acquiring messages transmitted and received to/from the plurality of network (Figs. 6A-C, col 3/lines 3-32);

designating at lease one network as at least one protocol-based network common communication session (common communication field) in order to transmit and receive messages between a plurality of users (col 3/lines 3-13); ✓

congregate, bring to together or gather, i.e. concentrating the obtained messages (Fig. 6A-C);

messages are acquired independent of the message display are of each of the plurality of networks to which the users are connected (col 4/line 37-col ✓ 5/line 12) enabling messages to be displayed in a designated display area for each participant as obtained in time from the sender and/or recipient (Figs. 6A-6B).

Regarding claim 3, as discussed on claims 1-2 and further transmitting a message when the messaged edited and displayed on a designated area independent from the other designated areas on the screen is identified for transmission by pressing the enter causing the displayed message displayed on

a designated area to be transmitted to recipient on at least one of the plurality of network (col 4/lines 36-col 5/line 12).

Regarding claim 12, prior art further teaches,

obtaining a plurality of messages to be transmitted to another user from at least one designated network common communication session, designating at least one network as at least one protocol-based network common communication session (common communication field) in order to transmit and receive messages between a plurality of users (col 3/lines 3-13);

congregate, bring to together or gather, i.e. concentrating the obtained messages (Fig. 6A-C);

messages are congregated or gathered, i.e. concentrated the acquired independent of the message display are of each of the plurality of networks to which the users are connected (col 4/line 37-col 5/line 12) enabling messages to be displayed in a designated display area for each participant as obtained in time from the sender and/or recipient (Figs. 6A-6B).

Regarding claim 13, this claim is the computer readable storage controlling a computer to perform the method discussed on claim 12, rejected for obviousness under U.S.C. 103, this same rationale is also applied these software implementation claims, claimed in terms of function, property or characteristic.

Regarding claim 14 this claim is the apparatus including units to perform the obtaining, concentrating and displaying discussed on claims 1-3, rejected for obviousness under U.S.C. 103, this same rationale is also applied this apparatus claims, claimed in terms of function, property or characteristic.

4. Noted in regards to References cited on PTO-892 mailed 04/11/02, item B, should read U.S. 5,793,365 (TANG et. al.) reference and not U.S. 5,973,365 as listed.

### ***RESPONSE TO ARGUMENTS***

5. Applicant argues (A) the prior art of record does not teach claim limitation as amended, specifically, added limitation, "messages that are transmitted and received through at least one network as communication field" and "designating at least one network";

In response to argument A, according to applicant's specification, in <sup>an</sup> information exchange system such as a chat system, multiple users have a common communication area (i.e. the same network) by utilizing an IRC protocol, in order to transmit and receive messages among one another. Hence, user in the common communication field can observe the contents of messages originated by themselves, as well as the contents of messages transmitted by other users in the same communication field (see specifications page 1, lines 14-31). Therefore what invention defines as a same network or "common communication area", is a protocol-based network common communication session (called "common communication field") in order to transmit and receive messages between a plurality of users; designating a network is establishing a common communication field or protocol-based network common communication session in light of the specifications.

Prior art teaches designating at least one network, designating at least one protocol-based network common communication session (common communication field) in order to transmit and receive messages between a plurality of users (col 3/lines 3-13);

6. Applicant argues (B), prior art does not teach concentrating the obtained messages.

In response to argument B, prior art teaches congregate, bring to together or gather, i.e. concentrating the obtained messages (see Fig. 6A-C), wherein messages are congregated or gathered, i.e. concentrated the acquired independent of the message display are of each of the plurality of networks to which the users are connected (col 4/line 37-col 5/line 12) enabling messages to

be displayed in a designated display area for each participant as obtained in time from the sender and/or recipient (Figs. 6A-6B).

7. Applicant arguments filed 07/16/02 have been fully but not found persuasive.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Prieto, B.** whose telephone number is **(703) 305-0750**. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **Mark H. Rinehart** can be reached on **(703) 305-4815**. The fax phone number for the organization where this application or proceeding is assigned is **(703) 308-6606**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703) 305-3800/4700**.

Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 746-7238, (for Official After-final communications; please mark "EXPEDITED PROCEDURE", for other Official communications; (703) 746-7239)

**Or:**

(703) 465-7240 (for Non-Official, Draft communications, status query, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

B. Prieto  
Patent Examiner  
September 19, 2002



**ROBERT B. HARRELL**  
**PRIMARY EXAMINER**